REMARKS

Applicant expresses appreciation for the in-person interview conducted on May 27, 2010. The above amendments have been made in accordance with what was discussed during the interview.

The Office Action mailed April 1, 2010, considered and rejected claims 1-5, 24-36, 38 and 40-42. Claims 1, 3-5, 24-36 and 38-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Faiman* (A Survey of the Java Media Framework 2.0) in view of *Wenocur et al.* (U.S. Publ. No. 2002/0165912).

101 Rejections

Claim 24 has been amended to recite a processor and a computer readable medium and therefore is not directed solely to software. Claims 38, 40, and 42 have been amended to recite computer storage media which does not encompass signals. Applicant therefore submits that the 101 rejections are overcome.

Prior Art Rejections

The present invention is directed to embodiments which control the playback rate of multimedia streams. More specifically, the claims are directed to how the invention queries the functional objects involved in the playback of the media stream to determine the maximum playback rates for each object in various modes of playback so that it can be determined whether a certain playback rate is supported.

In the current rejections, the examiner argues that Faiman discloses querying functional objects to determine a functional limit of playback. The examiner's argument is based on the getRate() method of the Player object. This method, however, does not return the maximum limit of playback for the Player object, but returns the current playback rate of the Player object.[1] The current playback rate of an object would not assist in determining what the maximum rate should be for playback of a multimedia stream which is the focus of the claims. Therefore, Faiman cannot teach or suggest the limitation of querying for the functional limits for the maximum playback rate of the multimedia stream.

[1] *See* JMF Documentation, *available at* http://java.sun.com/javase/technologies/desktop/media/jmf/2.1.1/apidocs/javax/media/bean/playerbean/MediaPlayer.html. Note that the getRate() method works in conjunction with the setRate() method which sets the playback rate.

Wenocur likewise fails to teach or suggest this aspect of the claims. Wenocur is related to sending emails. For example, paragraph 36 of the background states that one problem "with conventional approaches used to generate and distribute e-mail is related to the fact that content in e-mail messages is typically not adjusted to the hardware capabilities of an e-mail client that will actually receive the content." Wenocur also addresses issues regarding the consideration of network characteristics and user preferences in determining the content of emails. In short, Wenocur is directed to determining what content to include in an email.

Wenocur accomplishes this content customization using what it refers to as "stories." A story is a file that is included in an email to deliver content, which content is customized for a specific client. The content of a story can be customized based on various factors such as those described in paragraph 95 which was cited by the examiner. However, content customization is not similar to determining the functional limit of each object for a maximum playback rate of a multimedia stream. In the present invention, the content is not adapted to the capabilities of the system. In contrast, the capability (i.e. playback rate) of the system is determined for various modes of operation. Wenocur does not disclose this. Therefore, the combination of references cannot teach or suggest:

> processing a multimedia stream in the media system at a first rate, the multimedia system comprising a plurality of functional objects including a media source, a transform, and a media sink, the first rate corresponding to a first mode in a set of modes including a reverse skip mode, a reverse key frame mode, a reverse full mode, a forward full mode, a forward key frame mode, or a forward skip mode;
>
> while the multimedia stream is being processed at the first rate, receiving a request to process the multimedia stream at a second rate, the second rate corresponding to a second mode in the set of modes that is different than the first mode;
>
> querying each functional object in the media system to determine a functional limit of each functional object for a maximum playback rate of the multimedia stream in the second mode; and
>
> determining whether the multimedia system supports playback of the multimedia stream at the second rate by comparing the second rate to the maximum playback rate returned by each functional object such that if the second rate is below the maximum playback rate returned by each functional object, the multimedia system commences playback of the multimedia stream at the second rate, whereas if the second rate exceeds the maximum playback rate returned by each functional object, the multimedia system continues playback of the multimedia stream at the first rate;

as claimed in claims 1 and 38, or the similar limitations of claim 24. Applicant therefore requests that the rejections be withdrawn.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 322-8427.

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Respectfully submitted,

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